

# **WEST ITCHENOR PARISH COUNCIL**

## **Record Management and Security Policy**

West Itchenor Parish Council realise that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the Parish Council. This document provides the framework through which this effective management can be achieved and audited. The Parish Council seeks to make standard management and operational documents, minutes, agendas, latest news, community documents and reports available at the Parish Council website [www.westitchenorparishcouncil.org.uk](http://www.westitchenorparishcouncil.org.uk)

### **Scope of the Policy**

This policy applies to all records created, received or maintained by the Parish Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by the Parish Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received, or maintained in hard copy or electronically. Emails will be purged regularly and deleted safely.

### **Responsibilities**

The Parish Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for this Policy is the Parish Clerk (Proper Officer). Procedures are in place to ensure that the Parish Council complies with the Data Protection Act 1998. The Parish Council has also notified the Information Commissioner that it holds personal details about individuals. When dealing with personal details, West Itchenor Parish Council staff and Councillors must ensure that:

- Data is processed fairly and lawfully. Personal information should only be collected from individuals if staff and Councillors have been open and honest about why they want the personal information
- Data is processed for specified purposes only
- Data is relevant to what it is needed for
- Data is accurate and kept up to date
- Data is not kept longer than it is needed
- Data is processed in accordance with the rights of the individuals
- Data is kept securely

Only the Clerk can directly access the data, which is held securely. It cannot be accessed by members of the public.

West Itchenor Parish Council may hold personal information about individuals such as their addresses, emails, and telephone numbers. This is securely kept at the office of the Parish Clerk and is not available for public access. All data stored on the Parish Clerk's computer is password protected. Once data falls outside the minimum retention time of Council's document retention policy, it will be shredded or securely deleted from the Computer.

### **Retention of Documents or Electronic Data**

The Parish Council is required to maintain a retention schedule. There is a clear need to retain documentation for audit purposes, staff management, tax liabilities, and the eventuality of legal disputes and legal proceedings. The schedule lays down the minimum length of time which the records needs to be retained for audit and other purposes and the action which should be taken when it is of no further administrative use. Additional documents are also identified in a Management Schedule which are not subject to audit, staff management, tax liabilities and other purposes but for the general management of the Parish Council or of historical interest.

Most legal proceedings are governed by the 'Limitations Acts' which state that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. If a type of legal proceeding falls into two or more categories, the documentation will be kept for the longer of the limitation period. As there is no limitation period in respect of Trusts, the Council will retain all trust deeds and scheme and other similar documentation.

The retention refers to records services regardless of the media in which they are stored.

### Disclosure of Personal information

If an elected member of the Council needs to obtain personal information to help carry out their duties, this is acceptable. They are only able to obtain as much personal information as necessary and it should only be used for the specific purpose. If, for instance, someone has made a complaint about over hanging bushes in a garden, the Clerk may give a Councillor or the appropriate local authority the address and telephone number of the person who has made the complaint so they can help with the enquiry. Data should never be used for political reasons unless the data subjects have consented.

### Schedule

Correspondence if related to audit matters and or legal proceedings correspondence should be kept for the appropriate period specified in the schedule unless the Parish Council deem them to be relevant or useful or have historical interest to the Parish Council.

For other correspondence including written or electrically generated (unless relating to staff) should be retained for as long as it is useful and relevant.

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Minutes Books	Indefinite	Archive
Scales of fees and charges	6 years	Management
Receipt and payment accounts	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank statements including deposit/savings accounts	Last completed audit year	Audit
Bank paying in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
VAT records	6 years	VAT
Petty Cash	6 years	Tax, VAT Limitation Act 1980 (as amended)
Salary records	12 years	Superannuation
Insurance Policies	While valid	Management
Certificate for insurance against liability for employees	40 years from date on which insurance commenced or was renewed	The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI.2753), Management
Investments	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management

Members allowances register	6 years	Tax, Limitation Act 1980 (as amended)
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### Retention of documents for legal purposes

Category	Limitation Period
Negligence	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal Injury	3 years
To Recover Land	12 years
Rent	6 years
Breach of Trust	none

### Other documentation

#### Parish Council, community documents, website articles

DOCUMENT	MINIMUM RETENTION PERIOD	REASON
Policy Documents	Indefinite	Management
Emergency Plan	Indefinite	Management
Newsletters	4 years	Historical archive
Website and latest news posts	Annually	Management
Members Registers of Interest	4 year term cycle	Management
Councillor details	4 year term cycle	Management

#### Other documents including written notes of the Clerk and Councillors

The clerk's hand written notes of Parish Council meetings are routinely destroyed once a typed up record has been completed. Other hand written notes held by Councillors or the Clerk from conferences and other Parish Council related events when no longer relevant or required will be destroyed.

Information from other bodies e.g. planning applications, circulars etc from West Sussex Council, Chichester District, Sussex Association of Local Councils (SALC), National Association of Local Councils (NALC) etc. Such information should be retained for as long as it is useful and relevant and then destroyed.

#### Documentation relating to staff/personal information

Should be kept securely and in accordance with the 8 Data Protection principles contained in the Data Protection Act 1998. The principles provide that person data in relation to staff should not be kept for longer than is necessary for the purpose it was held. However, after an employment relationship has ended, the Parish Council will need to retain and access staff records for former staff for the purposes of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the Parish Council.

#### Data received and created by Parish Councillors

All data received and created by Councillors acting on behalf of the Parish Council and in their role as an elected member is subject to the Data Protection Act 1998 and Freedom of Information Act 2000. It is recognised that members of the public may contact West Itchenor Parish Councillors directly through email or letter from time to time.

Councillors should:-

- Forward the email or letter to the Parish Clerk to respond and delete any electronic copy from their system; or
- Respond to the email or letter directly and provide a copy to the clerk for the formal record.

If Councillors retain personal information either in paper format or electronically about individuals such as their addresses, emails, and telephone numbers when acting on behalf of members of the public and local organisations it is recommended they seek advice from the Commissioner's Office. It is the responsibility of the Parish Councillor, if in doubt, to seek clarification from the Commissioner's Office helpline on 01625 545745 to establish whether they should apply for individual registration. It is safest for Councillors to delete any correspondence once a matter has come to a natural conclusion rather than hold the information indefinitely. If you believe the correspondence is important historically to the Parish Council then a copy should be sent to the Clerk clearly marked for the 'formal record'.